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Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the estate of Bernard L. Madoff*

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)
SIPA Liquidation
(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known as THE
ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 10-05354 (SMB)

**DECLARATION OF PATRICK T. CAMPBELL IN SUPPORT OF TRUSTEE'S
MOTION FOR LEAVE TO FILE A SECOND AMENDED COMPLAINT**

I, Patrick T. Campbell, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the New York Bar and a partner at Baker & Hostetler LLP, counsel for plaintiff Irving H. Picard, as trustee (the "Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaaa, *et seq.*, and the estate of Bernard L. Madoff.

2. As an attorney of record in these proceedings, I am fully familiar with the facts set forth herein based either upon my own personal knowledge or upon information conveyed to me.

3. I make this declaration to provide relevant information in connection with the Trustee's Motion for Leave to File a Second Amended Complaint (the "Motion").

4. On April 19, 2019 the parties stipulated and agreed to a briefing schedule for the filing of the Motion. The parties stipulated and agreed that the Trustee would file the Motion on or before June 10, 2019 and that defendant ABN AMRO BANK N.V. (presently known as THE ROYAL BANK OF SCOTLAND, N.V.) would file its opposition to the Motion within sixty (60) days after the Motion is filed. The parties further agreed that the Trustee would file a reply, if any, in further support of the Motion within thirty (30) days of the Defendant's response.

5. Attached hereto as **Exhibit A** is the Trustee's proposed Second Amended Complaint ("PSAC") and attached exhibits for review by the Court. The PSAC alleges additional facts regarding the subsequent transfers sought to be recovered, as further discussed in the accompanying Memorandum of Law in Support of the Trustee's Motion for Leave to File a Second Amended Complaint.

6. Attached hereto as **Exhibit B** is the Trustee's complaint in the adversary proceeding *Picard v. Tremont Group Holdings, Inc. (In re Bernard L. Madoff Inv. Secs., LLC)*, Adv. Pro. No. 10-05310, ECF No. 1 (Bankr. S.D.N.Y. Dec. 7, 2010), which is incorporated by reference in the Trustee's Motion and PSAC.

7. Attached hereto as **Exhibit C** is the Trustee's Proffered Allegations Pertaining to the Extraterritoriality Issue as to Defendant in this adversary proceeding, ECF No. 101, which is incorporated, in part, by reference in the Trustee's PSAC.

8. Attached hereto as **Exhibit D** is the Trustee's Proposed Order in connection with the Motion.

9. No prior application or motion for similar relief has been made to this or any other court.

I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Executed on the 10th day of June, 2019, at New York, New York.

/s/ Patrick T. Campbell
Patrick T. Campbell